

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

EASTERN DIVISION

PLATINUMTEL COMMUNICATIONS,)	
LLC,)	
)	
Plaintiff,)	
)	No. 08 CV 1062
vs.)	
)	Judge JOAN H. LEFKOW
ZEFCOM, LLC d/b/a TELISPIRE,)	
TELISPIRE, INC, et al.,)	
)	
Defendants)	
)	

**DEFENDANT EZ STREAM'S MOTION TO DISMISS
ALL CLAIMS AGAINST EZ STREAM FOR FAILURE TO STATE A CLAIM AND
FAILURE TO PLEAD FRAUD WITH SPECIFICITY**

NOW COMES, Defendant EZ Stream, Inc., ("EZ Stream") by and through its attorneys, Akram Zanayed & Associates, and moves this Court pursuant to Fed. R.Civ. P. 9(b) and 12 (b)(6) to enter an order dismissing with prejudice each of the claims asserted against EZ Stream by Plaintiff PlatinumTel Communications, LLC ("PlatinumTel") in Counts I through IV of PlatinumTel's Complaint. The claims against EZ Stream should be dismissed due to Plaintiff's failure to plead sufficient facts to establish the alleged violations in the complaint. Furthermore, Plaintiff also fails to plead sufficient facts to conform to Rule 9(b), since all counts are sounding in fraud. In support of this motion, EZ Stream submits it Memorandum of Law in Support of its Motion to Dismiss.

Dated April 3, 2008

Respectfully submitted,

By: s/ Hanna Mraibie
One of EZ Stream's Attorneys

Akram Zanayed (6192587)
Hanna Mraibie (6275561)
Akram Zanayed & Associates
8550 S. Harlem Suite G
Bridgeview, Il 60455
Phone 708-237-9000

CERTIFICATE OF SERVICE

I, hereby certify that on April 3, 2008, I served the above and foregoing Defendant EZ Stream's MOTION TO DISMISS ALL CLAIMS AGAINST EZ STREAM FOR FAILURE TO STATE A CLAIM AND FAILURE TO PLEAD WITH SPECIFICITY, with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following email addresses:

<p>John P. Lynch, Jr. Brian A. O'Gallagher Jessica Lynn Lesniewshi Cremer, Kopon Shaughnessy & Spina 180 N. LaSalle Street Suite 3300 Chicago, IL 60601 (312) 726-3800 jlynch@cksslaw.com bogallagher@cksslaw.com jlesniewski@cksslaw.com</p> <p>Attorneys for Plaintiff</p>	<p>Ahmad Sulaiman Suliman & Associates 11015 S. Harlem Worth, IL 60660 (312)656-8889 ahmad.sulaiman@suliamanlaw.com</p> <p>Attorney for Defendant Ramsey Natour</p>
<p>Terri L. Mascherin Daniel C. McMurtrie Jenner & Block LLP 330 N. Wabash Ave. Chicago, IL 60611 (312) 923-2799 dmcmurtrie@jenner.com tmascherin@jenner.com</p> <p>Attorneys for ZefCom, LLC d/b/a Telispire</p>	

By: _____ /s/ Hanna Mraibie